

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JIM KEANE**, on March 23, 2005 at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Jim Keane, Chairman (D)
Rep. Kathleen Galvin-Halcro, Vice Chairman (D)
Rep. Joe McKenney, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Bob Bergren (D)
Rep. Tim Dowell (D)
Rep. Kevin T. Furey (D)
Rep. Dave Gallik (D)
Rep. Ralph Heinert (R)
Rep. Llew Jones (R)
Rep. Mike Jopek (D)
Rep. Harry Klock (R)
Rep. Mike Milburn (R)
Rep. Don Roberts (R)
Rep. Dan Villa (D)

Members Excused:

Rep. Scott Mendenhall (R)
Rep. Wayne Stahl (R)
Rep. Jonathan Windy Boy (D)

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Kyanne Kelly, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 443, 3/16/2005; SB 434,
3/16/2005; SB 168, 3/16/2005; SB
286, 3/16/2005; SB 422, 3/16/2005
Executive Action: SB 443, SB 168, SB 422, SB 286, HB
772, HB 664, SB 412, SB 354, SB
217, HJ 23

HEARING ON SB 443

Opening Statement by Sponsor:

SEN. GLENN ROUSH (D), SD 8, opened the hearing on **SB 443**, Auto insurance premium reductions for certain national guard members.
00:01:37

Proponents' Testimony:

00:05:25 Roger Hagen, National Guard of Montana
00:07:43 General Roger Mosley, National Guard of Montana

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:12:05

Closing by Sponsor:

00:13:24

HEARING ON SB 434

Opening Statement by Sponsor:

SEN. DAVE LEWIS (R), SD 42, opened the hearing on **SB 434**, Revise insurance form filing and approval law.
00:15:17

Proponents' Testimony:

00:18:06 Jacqueline Lenmark, American Insurance Association

Opponents' Testimony: None

Informational Testimony:

00:19:22 Alisa Pichette, State Auditors Office

Questions from Committee Members and Responses:

00:20:17

Closing by Sponsor:

00:30:08

HEARING ON SB 168

Opening Statement by Sponsor:

SEN. JEFF MANGAN (D), SD 12, opened the hearing on **SB 168**, Small business equity infusion act.

00:31:04

Proponents' Testimony:

00:37:22 Frank Cote, MSE Technology Corporation of Butte
00:38:07 Gary Forrester, Montana Contractors Association
00:38:37 Barbara Ranf, Montana Chamber of Commerce
00:39:07 Gary Amestoy, Richland County Development Corporation

Opponents' Testimony:

Informational Testimony:

00:40:29 Carroll South, Board of Investment

Questions from Committee Members and Responses:

00:44:40

Closing by Sponsor:

00:53:47

HEARING ON SB 286

Opening Statement by Sponsor:

SEN. DON RYAN (D), SD 10, opened the hearing on **SB 286**, Revise construction payment laws.

00:55:06

[EXHIBIT](#) (buh64a01)

Proponents' Testimony:

00:57:54 Carl Schweitzer, Subcontractors Association
01:04:26 Margaret Morgan, Treasure State Contractors
01:05:00 Gary Forrester, Montana Contractors Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:05:38

Closing by Sponsor:

01:12:07

REPS. MENDENHALL AND WINDY BOY entered the room.

HEARING ON SB 422

Opening Statement by Sponsor:

SEN. JOE BALLYEAT (R), SD 34, opened the hearing on SB 422, Revise provisions regarding real estate appraiser trainees.

01:13:44

[EXHIBIT](#) (buh64a02)

[EXHIBIT](#) (buh64a03)

Proponents' Testimony: None

Opponents' Testimony:

01:22:34 Tim Moore, State Board of Real Estate Appraisers

[EXHIBIT](#) (buh64a04)

01:26:05 Jan Martin, Board of Real Estate Appraisers

01:26:32 Mike Joki, Real Estate Appraiser

01:27:32 Jim Campbell, Self

Informational Testimony:

01:30:33 Jim Brown, Department of Labor and Industry

Questions from Committee Members and Responses:

01:31:03

Closing by Sponsor:

01:41:40

EXECUTIVE ACTION ON SB 443

Motion: REP. GALVIN-HALCRO moved that SB 443 BE CONCURRED IN.

Discussion:

02:11:49

Without objection REP. GALVIN-HALCRO withdrew her motion that SB 443 BE CONCURRED IN.

EXECUTIVE ACTION ON SB 168

Motion: REP. GALVIN-HALCRO moved that SB 168 BE CONCURRED IN.

Discussion:

02:13:29

Vote: Motion failed 6-12 by roll call vote with REP. BERGREN, REP. DOWELL, REP. FUREY, REP. JONES, REP. JOPEK, and REP. WINDY BOY voting aye. REP. STAHL voted by proxy.

Motion/Vote: REP. VILLA moved that SB 168 BE TABLED AND THE VOTE REVERSED. Motion carried by voice vote.

EXECUTIVE ACTION ON SB 422

Motion: REP. MENDENHALL moved that SB 422 BE CONCURRED IN.

Discussion:

02:17:09

Vote: Motion failed 5-13 by roll call vote with REP. DOWELL, REP. GALLIK, REP. HEINERT, REP. MENDENHALL, and REP. WINDY BOY voting aye. REP. STAHL voted by proxy.

Motion/Vote: REP. VILLA moved that SB 422 BE TABLED AND THE VOTE REVERSED. Motion carried by voice vote.

EXECUTIVE ACTION ON SB 286

Motion: REP. GALVIN-HALCRO moved that SB 286 BE CONCURRED IN.

Discussion:

02:23:35

Vote: Motion carried unanimously by voice vote. REP. STAHL voted by proxy. REP. GLAZER to carry.

EXECUTIVE ACTION ON HB 772

Motion: REP. GALVIN-HALCRO moved that HB 772 DO PASS.

Motion: REP. GALVIN-HALCRO moved that HB 772 BE AMENDED.

Discussion:

02:25:22

[EXHIBIT](#) (buh64a05)

Vote: Motion carried unanimously by voice vote. REP. STAHL voted by proxy.

Motion: REP. GALVIN-HALCRO moved that HB 772 DO PASS AS AMENDED.

Discussion:

02:26:11

Vote: Motion carried 16-2 by voice vote with REP. MENDENHALL and REP. MILBURN voting no. REP. STAHL voted by proxy.

EXECUTIVE ACTION ON HB 664

Motion: REP. JOPEK moved that HB 664 DO PASS.

Motion: REP. JOPEK moved that HB 664 BE AMENDED.

Discussion:

02:34:07

[EXHIBIT](#) (buh64a06)

Vote: Motion carried unanimously by voice vote. REP. STAHL voted by proxy.

Motion: REP. JOPEK moved that HB 664 DO PASS AS AMENDED.

Discussion:

02:37:08

Substitute Motion/Vote: REP. MENDENHALL made a substitute motion that HB 664 BE TABLED. Substitute motion failed 9-9 by roll call vote with REP. ARNTZEN, REP. HEINERT, REP. JONES, REP. KLOCK, REP. MCKENNEY, REP. MENDENHALL, REP. MILBURN, REP. ROBERTS, and REP. STAHL voting aye. REP. STAHL voted by proxy.

Vote: Motion that HB 664 DO PASS AS AMENDED failed 8-10 by roll call vote with REP. BERGREN, REP. DOWELL, REP. FUREY, REP. GALVIN-HALCRO, REP. JOPEK, REP. KEANE, REP. VILLA, and REP. WINDY BOY voting aye. REP. STAHL voted by proxy.

Motion/Vote: REP. MCKENNEY moved that HB 664 BE TABLED AND THE VOTE REVERSED. Motion carried by voice vote.

REP. STAHL entered the room.

EXECUTIVE ACTION ON SB 412

Motion: REP. GALVIN-HALCRO moved that SB 412 BE CONCURRED IN.

Motion: REP. GALVIN-HALCRO moved that SB 412 BE AMENDED.

Discussion:

02:40:55

[EXHIBIT](#) (buh64a07)

Vote: Motion carried unanimously by voice vote.

Motion: REP. GALVIN-HALCRO moved that SB 412 BE CONCURRED IN AS AMENDED.

Discussion:

02:43:44

Vote: Motion carried 12-6 by roll call vote with REP. ARNTZEN, REP. HEINERT, REP. JONES, REP. MCKENNEY, REP. MILBURN, and REP. STAHL voting no. REP. BERGREN to carry.

EXECUTIVE ACTION ON SB 354

Motion: REP. BERGREN moved that SB 354 BE CONCURRED IN.

Discussion:

02:46:23

Vote: Motion failed 9-9 by roll call vote with REP. BERGREN, REP. DOWELL, REP. FUREY, REP. GALLIK, REP. GALVIN-HALCRO, REP. JOPEK, REP. KEANE, REP. VILLA, and REP. WINDY BOY voting aye.

EXECUTIVE ACTION ON SB 217

Motion: REP. BERGREN moved that SB 217 BE CONCURRED IN.

Motion: REP. BERGREN moved that SB 217 BE AMENDED.

Discussion:

02:59:45

[EXHIBIT](#)(buh64a08)

Vote: Motion carried unanimously by voice vote.

Motion: REP. BERGREN moved that SB 217 BE CONCURRED IN AS AMENDED.

Discussion:

03:00:50

Vote: Motion failed 9-9 by roll call vote with REP. BERGREN, REP. DOWELL, REP. FUREY, REP. GALLIK, REP. GALVIN-HALCRO, REP. JOPEK, REP. KEANE, REP. VILLA, and REP. WINDY BOY voting aye.

EXECUTIVE ACTION ON HJ 23

Motion: REP. JOPEK moved that HJ 23 DO PASS.

Discussion:

03:04:43

Vote: Motion failed 9-9 by roll call vote with REP. BERGREN, REP. DOWELL, REP. FUREY, REP. GALLIK, REP. GALVIN-HALCRO, REP. JOPEK, REP. KEANE, REP. VILLA and REP. WINDY BOY voting aye.

ADJOURNMENT

Adjournment: 11:10 A.M.

REP. JIM KEANE, Chairman

KYANNE KELLY, Secretary

JK/kk

Additional Exhibits:

EXHIBIT ([buh64aad0.PDF](#))